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PAUL HASTINGS LLP
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Attorneys for Defendant NIKE, INC.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

KELLY CAHILL et al.,

Plaintiffs,

vs.

NIKE, INC., an Oregon Corporation,

Defendant.

Case No. 3:18-cv-01477-JR

**DECLARATION OF
FELICIA A. DAVIS IN SUPPORT OF
DEFENDANT NIKE INC.'S MOTION
FOR SUMMARY ADJUDICATION**

**DECLARATION OF FELICIA A. DAVIS IN SUPPORT OF NIKE'S MOTION FOR
SUMMARY ADJUDICATION**

DECLARATION OF FELICIA A. DAVIS

I, Felicia A. Davis, declare and state as follows:

1. I am an attorney duly licensed to practice law in the State of California, and am admitted *pro hac vice* to the District Court of Oregon. I am a partner at the law firm of Paul Hastings LLP, counsel of record for Defendant NIKE, Inc. (“NIKE”) in the above-captioned lawsuit. I have personal knowledge of the facts contained herein, or know of such facts by my review of the files maintained by Paul Hastings LLP in the normal course of its business, and if called upon to do so, could and would competently testify thereto.

2. I submit this Declaration in Support of NIKE’s Motion for Summary Adjudication.

3. On Wednesday, April 3, 2024, NIKE delivered a correspondence, via e-mail, to Plaintiffs’ counsel, in a good faith effort to meet and confer in order to resolve this dispute. Attached hereto as **Exhibit A**, is a true and correct copy of the e-mail and the attached correspondence.

4. On Thursday, April 4, 2024, Plaintiffs’ counsel sent an email, offering to discuss the matter in the next week or two, after NIKE’s deadline to file this Motion. On, April 5, 2024, I responded to Plaintiffs’ counsel and offered to discuss the matter via telephone on the same day. However, as of the time of this filing, Plaintiffs’ counsel has not responded.

5. As a result, the parties have not been able to resolve this dispute.

6. On June 14, 2019, Plaintiffs produced documents to NIKE, including:

(a) A copy of the Charge filed with the EEOC by Plaintiff Sara Johnston on August 7, 2018. Attached hereto as **Exhibit B**, is a true and correct copy of an excerpt of Ms. Johnston’s EEOC Charge, showing she signed the Charge on August 7, 2018, bates-stamped PLF_0000923;

(b) A copy of the Charge filed with the EEOC by Plaintiff Lindsey Elizabeth on August 23, 2018. Attached hereto as **Exhibit C**, is a true and correct copy of an excerpt of

Ms. Elizabeth's EEOC Charge, showing she signed the Charge on August 23, 2018, bates-stamped PLF_0000843; and

(c) A copy of the Charge filed with the EEOC by Plaintiff Heather Hender on November 9, 2018. Attached hereto as **Exhibit D**, is a true and correct copy of an excerpt of Ms. Hender's EEOC Charge, showing she signed the Charge on November 9, 2018, bates-stamped PLF_0000875.

7. Attached hereto as **Exhibit E**, is a true and correct copy of relevant excerpts of the Deposition Transcript of Plaintiff Kelly Cahill, taken by me on November 18, 2020, including an excerpt of one exhibit, showing that Ms. Cahill signed the Charge she submitted to the Oregon Bureau of Labor and Industry on July 25, 2018.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746 and the laws of the United States of America and the State of Oregon that the foregoing is true and correct.

Executed this 5th day of April 2024, at Los Angeles, California.

/s/Felicia A. Davis
Felicia A. Davis

From: Greider, Teresa M.
Sent: Wednesday, April 3, 2024 1:29 PM
To: bgoldstein@gbdhlegal.com; brgoldstein@gbdhlegal.com;
laurasalerno@markowitzherbold.com; DavidMarkowitz@MarkowitzHerbold.com;
HarryWilson@MarkowitzHerbold.com; KathrynRoberts@MarkowitzHerbold.com;
cja@ackermanntilajef.com; lho@gbdhlegal.com; kfisher@gbdhlegal.com;
msun@gbdhlegal.com; india@indialinbodienlaw.com; bd@ackermanntilajef.com;
jb@ackermanntilajef.com
Cc: Davis, Felicia A.; Prince, Daniel; Jackson, Lindsey C.; Tapper, Alyssa; Featherstun, Brian
Subject: Cahill v. NIKE - Letter re Meet and Confer
Attachments: Nike_Cahill - 2024-04-03 Nike's Letter Regarding Meet and Confer on
MSA(119425206.1).pdf

Counsel:

Please see attached.

Sincerely,

PAUL
HASTINGS

Teresa Greider | Associate Employment Law Department

Paul Hastings LLP | 515 South Flower Street, Twenty-Fifth Floor, Los Angeles, CA 90071 |

Direct: +1.213.683.6109 | Teresagreider@paulhastings.com | www.paulhastings.com

PAUL HASTINGS

April 3, 2024

VIA E-MAIL

Barry Goldstein (bgoldstein@gbdhlegal.com)
 Byron Goldstein (brgoldstein@gbdhlegal.com)
 James Kan (jkan@gbdhlegal.com)
 Mengfei Sun (msun@gbdhlegal.com)
 Goldstein, Borgen, Dardarian & Ho
 155 Grand Avenue, Suite 900
 Oakland, CA 94612

Re: *Cahill, et al. v. Nike, Inc.*
 U.S. District Court Case No. 3:18-cv-01477

Dear Counsel:

We write to inform you that NIKE intends to move the Court for summary adjudication on Plaintiff Kelly Cahill's second and third Claims for Relief under Title VII. This correspondence is NIKE's good faith effort to meet and confer on the Motion. For the reasons detailed below, NIKE requests Plaintiffs dismiss Ms. Cahill's second and third Claims for Relief because they are time-barred.

Under Title VII, a plaintiff must timely file a charge of discrimination with the EEOC, within 300 days of the alleged unlawful act, before pursuing her claims in court. See 42 U.S.C. § 2000e-5(b), (e)(1), (f)(1). Plaintiff Cahill failed to file any charge with the EEOC; her Title VII claims are, thus, barred.

Plaintiff Cahill's charge, filed with the Oregon Bureau of Labor and Industries ("BOLI") one year after her separation, on July 25, 2018, does not revive her Title VII claims. First, BOLI did not co-file the charge with the EEOC. Second, even if it had, Ms. Cahill's BOLI charge was filed more than 300 days after any alleged unlawful conduct could have occurred—exactly one year after she ended her employment on July 25, 2017. Thus, Plaintiff Cahill did not timely file a charge sufficient to proceed under Title VII.

Further, none of the other Plaintiffs (Hender, Elizabeth, or Johnston) filed a charge with the EEOC within 300 days of Plaintiff Cahill's last day of employment (July 25, 2017), thus she cannot "piggyback" on their EEOC charges.

Named Plaintiff	Date EEOC Charge Filed	# Days After Cahill Left NIKE (July 25, 2017)
Johnston	August 7, 2018 (SAC ¶ 26)	378 days
Elizabeth	August 23, 2018 (SAC ¶ 39)	394 days
Hender	November 15, 2018 (SAC ¶ 17)	472 days

PAUL
HASTINGS

Therefore, Plaintiff Cahill's second and third Claims for Relief under Title VII are barred and should be dismissed.

For the reasons set forth above, NIKE requests that Plaintiffs dismiss Ms. Cahill's second and third Claims for Relief and save the parties and the Court the time and expense of unnecessary motion practice. Please let us know by 12:00 pm PT on April 4, 2024, if Ms. Cahill will dismiss these claims. Otherwise, NIKE will file its motion for summary adjudication.

Sincerely,


/s/ Felicia A. Davis

Felicia A. Davis
of PAUL HASTINGS LLP

FAD:tmg


LEGAL_US_W # 119252559.4

EEOC Form 5 (5/01)

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented to: Agency(ies) Charge No(s): <input checked="" type="checkbox"/> BOLI <input checked="" type="checkbox"/> EEOC	
EEOC and Oregon Bureau of Labor & Industries <small>State or local Agency, if any</small>			
Name (indicate Mr. Ms. Mrs.) Sara Johnston		Home Phone (Incl. Area Code) <div style="background-color: black; color: white; text-align: center; padding: 2px;">REDACTED</div>	Date of Birth <div style="background-color: black; color: white; text-align: center; padding: 2px;">REDACTED</div>
Street Address <div style="background-color: black; color: white; text-align: center; padding: 2px;">REDACTED</div>		City, State and ZIP Code Portland, OR 97006	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Nike, Inc.		No. Employees, Members 75,000+	Phone No. (Include Area Code) (503) 671-6453
Street Address One Bowerman Drive, Beaverton, OR 97006		City, State and ZIP Code	
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify below.)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest Continuing Action, including from June 2008 through November 2017	
THE PARTICULARS ARE (If additional paper is needed, attached extra sheet(s)). See attached statement (12 pages).			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY – When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct. <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;"> <u>8.7.18</u> Date </div> <div style="text-align: center;">  Charging Party Signature </div> </div>		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	


713666.15

EEOC Form 5 (5/01)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented to: Agency(ies) Charge No(s): <input checked="" type="checkbox"/> BOLI <input checked="" type="checkbox"/> EEOC	
EEOC and Oregon Bureau of Labor & Industries <i>State or local Agency, if any</i>			
Name (indicate Mr. Ms. Mrs.) Ms. Lindsay Elizabeth		Home Phone (Incl. Area Code) REDACTED	Date of Birth REDACTED
Street Address REDACTED		City, State and ZIP Code Beaverton, OR 97006	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Nike, Inc.		No. Employees, Members 75,000+	Phone No. (Include Area Code) (503) 671-6453
Street Address One Bowerman Drive, Beaverton, OR 97006		City, State and ZIP Code	
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify below.)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest Continuing Action, including from March, 2015, through to the present	
THE PARTICULARS ARE (If additional paper is needed, attached extra sheet(s)). See attached statement (11 pages).			
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION EEOC AUG 27 2018 FED+ 909 1ST AVE SUITE 1000 SEASIDE, OR 97138-1061			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct. 08-23-2018 Date		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
 Charging Party Signature			

717167.1

EEOC Form 5 (5/01)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented to: Agency(ies) Charge No(s): <input type="checkbox"/> BOLI <input checked="" type="checkbox"/> EEOC	
EEOC and Oregon Bureau of Labor & Industries <i>State or local Agency, if any</i>			
Name (indicate Mr. Ms. Mrs.) Heather Hender		Home Phone (Incl. Area Code) REDACTED	Date of Birth REDACTED
Street Address REDACTED		City, State and ZIP Code Portland, Oregon, 97231	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Nike, Inc.		No. Employees, Members 75,000+	Phone No. (Include Area Code) (503) 671-6453
Street Address One Bowerman Drive, Beaverton, OR 97006		City, State and ZIP Code	
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify below.) EQUAL PAY ACT		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest Continuing Action, including from April 6, 2015 through to the Present.	
THE PARTICULARS ARE (If additional paper is needed, attached extra sheet(s)): See attached statement (12 pages).			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY – When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct. 9 NOV 2018  Date Charging Party Signature		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

723412.3

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

KELLY CAHILL, et al.,)
Plaintiffs,)
VS.) NO. 3:18-CV-01477-JR
NIKE, INC., an Oregon)
Corporation,)
Defendants.)
_____)

VIDEOCONFERENCE DEPOSITION OF:

KELLY CAHILL

WEDNESDAY, NOVEMBER 18, 2020

12:10 P.M.

REPORTED BY:

Sari M. Knudsen

CSR No. 13109

Page 1

1 Q Other than the administrative charge you 00:25:48
2 filed against Nike with the -- with BOLI, B-O-L-I, 00:25:55
3 have you ever filed another administrative or agency 00:25:59
4 charge of discrimination against an employer? 00:26:03
5 A No. 00:26:06
6 Q Have you ever accused another employer of 00:26:09
7 discrimination? 00:26:10
8 A No. 00:26:13
9 MR. GOLDSTEIN: Objection. 00:26:14
10 BY MS. DAVIS: 00:26:14
11 Q Have you ever made any internal complaints 00:26:17
12 of discrimination at any employer other than Nike? 00:26:21
13 A No. 00:26:24
14 Q Have you ever made any internal complaints 00:26:27
15 of harassment against any employer other than Nike? 00:26:30
16 A No. 00:26:40
17 Q Again, I don't want you to tell me what you 00:26:42
18 discussed. But when did you first engage counsel 00:26:45
19 for any matters related to your employment with 00:26:48
20 Nike? 00:26:51
21 A Oh, gosh. Don't recall clearly. But it 00:26:56
22 would have been in 2018. 00:27:00
23 Q Okay. Well, you filed your -- a charge of 00:27:11
24 discrimination with the Oregon Bureau of Labor & 00:27:17
25 Industry in July of 2018. 00:27:20

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1 Did you engage -- did you first contact 00:27:23
2 counsel before you filed that charge? 00:27:26
3 A Yes. 00:27:27
4 MR. GOLDSTEIN: Objection. If you want to show 00:27:30
5 the document, you can. But we can't obviously tell 00:27:38
6 her what the facts are. 00:27:43
7 BY MS. DAVIS: 00:27:43
8 Q So with the benchmark of the BOLI filing, 00:27:47
9 does that refresh your recollection approximately 00:27:50
10 what month in 2018 you first contacted counsel 00:27:53
11 related to your employment with Nike? 00:27:57
12 A Yes. That helps refresh the month. 00:28:02
13 Q Okay. Approximately how many months before 00:28:04
14 you filed the charge did you first contact counsel 00:28:09
15 with respect to your employment at Nike? 00:28:11
16 A I don't remember. 00:28:13
17 Q Okay. Could you give me an estimate? Was 00:28:16
18 it one month? Three months? Six months? 00:28:19
19 A I really don't remember. 00:28:23
20 Q Okay. You have no recollection? 00:28:25
21 A No. 00:28:27
22 Q Okay. What law firm did you initially 00:28:33
23 reach out to related to your employment with Nike? 00:28:39
24 A Goldstein. 00:28:40
25 Q That was the first counsel -- that was the 00:28:45

Page 24

1 BY MS. DAVIS: 01:44:01

2 Q Go ahead. 01:44:02

3 A Correct. 01:44:13

4 Q You started working for Nike as a 01:44:22

5 contractor in the role of Digital Brand Senior 01:44:25

6 Producer in October of 2012? Is that your best 01:44:33

7 recollection? 01:44:34

8 A That is my best recollection. 01:44:37

9 Q And you held that role until 01:44:39

10 October of 2013. Is that correct? 01:44:41

11 A Correct. 01:44:43

12 Q And in October of 2013, you were hired as a 01:44:45

13 Nike employee. Correct? 01:44:47

14 A Correct. 01:44:49

15 Q Okay. You said earlier before the break 01:44:55

16 that it was -- something about the contractor 01:44:59

17 position was a new role at Nike. What did you mean 01:45:03

18 by that? 01:45:04

19 A It was -- it was within a digital brand, 01:45:10

20 and it was specifically with Nike.com that hadn't -- 01:45:16

21 hadn't been done -- hadn't been done before. 01:45:20

22 I'm sorry. So I do apologize. That is -- 01:45:22

23 that is -- I can figure out how to turn that off on 01:45:27

24 my computer. Hold on. 01:45:28

25 MR. GOLDSTEIN: Yeah, reminds me. I should make 01:45:30

Page 60

1 (Whereupon Defendants' Exhibit 5 02:08:41
2 was marked for identification) 02:08:41
3 BY MS. DAVIS: 02:08:41
4 Q Okay. Do you recognize Exhibit 5 as your 02:08:49
5 offer letter to become a Nike employee dated 02:08:53
6 October 16, 2013? 02:08:55
7 A Yes. 02:09:01
8 Q Okay. And this was after the one-year 02:09:04
9 period of time you worked as the Digital Brand 02:09:06
10 Senior Producer for Nike.com as a contractor. 02:09:11
11 Correct? 02:09:12
12 A Yes. Close to one year. Correct. 02:09:15
13 Q Okay. And when you were originally hired 02:09:17
14 as a Nike employee, your start date was October 21, 02:09:24
15 2013. At least as reflected on Exhibit 5. 02:09:28
16 Do you see that? 02:09:29
17 A Yes. 02:09:31
18 Q Okay. And do you believe that that was 02:09:33
19 your start date at Nike as a Nike employee, 02:09:36
20 October 21, 2013? 02:09:37
21 A I believe that to be correct, yes. 02:09:41
22 Q Okay. And your title when you were hired 02:09:43
23 as a Nike employee was Global Digital Cross-Category 02:09:45
24 Director. Correct? 02:09:51
25 A Of Nike.com, yes. 02:09:53

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1 onto a manager on my team. I just couldn't recall 09:03:26
2 if she directly reported to me before or not. But I 09:03:29
3 would have recommended for her to do that. 09:03:37
4 Trying to recall. I did recommend and help 09:03:43
5 convert people from contractors to full-time Nike 09:03:47
6 employees. 09:03:52
7 Q Did you ever make any recommendations that 09:03:53
8 someone should be promoted other than yourself? 09:04:01
9 A I do not recall. 09:04:12
10 Q You -- after you left Nike, you were 09:04:20
11 employed by Adidas. Correct? 09:04:23
12 A Correct. 09:04:24
13 Q Okay. You first applied for a position 09:04:27
14 with Adidas in April of 2017. Does that seem 09:04:32
15 accurate? 09:04:33
16 A That does seem accurate. 09:04:35
17 Q Okay. Did you apply to any other companies 09:04:41
18 during your employment at Nike before you applied 09:04:45
19 with Adidas in April of 2017? 09:04:49
20 MR. GOLDSTEIN: Objection. 09:04:51
21 THE WITNESS: Yes. 09:04:53
22 BY MS. DAVIS: 09:04:53
23 Q Where? 09:04:56
24 A I do not recall most off the top of my 09:05:02
25 head. I had discussions with Tommy Bahama. 09:05:04

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1 BY MS. DAVIS: 09:35:13

2 Q Exhibit 30 is bates stamped PLF 014177 09:35:20

3 through 014178. 09:35:25

4 (Whereupon Defendant's Exhibit 30 09:35:25

5 was marked for identification) 09:35:25

6 BY MS. DAVIS: 09:35:25

7 Q Do you have Exhibit 30 in front of you? 09:35:29

8 A Yes. 09:35:32

9 Q And is Exhibit 30 your resignation e-mailed 09:35:36

10 to Nike dated July 27, 2017? 09:35:39

11 A Correct. 09:35:43

12 Q And in the e-mail, you wrote, 09:35:46

13 "Here is an e-mail confirming my 09:35:48

14 resignation from Nike effective today, 09:35:51

15 July 25, 2017." 09:35:52

16 Correct? 09:35:56

17 A Correct. 09:35:57

18 Q Okay. Had you given anyone else at Nike 09:35:59

19 notice before you wrote the e-mail at Exhibit 30 09:36:02

20 that you were going to be leaving? 09:36:05

21 A Tyler and Erin -- 09:36:08

22 Q Anyone else? 09:36:09

23 A Erin Keane. She had my computer badge and 09:36:14

24 credit card. 09:36:16

25 Q When did you first tell Tyler Allen that 09:36:19

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1 Correct? 09:41:03

2 A Correct. 09:41:05

3 Q And you told Adidas that you were making 09:41:06

4 \$142,000 a year. Correct? 09:41:10

5 A Correct. 09:41:20

6 Q All right. I've marked as Exhibit 32 a 09:42:40

7 multipage document bates stamped PLF 749 through 09:42:46

8 756. 09:42:50

9 (Whereupon Defendant's Exhibit 32 09:42:50

10 was marked for identification) 09:42:50

11 BY MS. DAVIS: 09:42:50

12 Q Do you recognize Exhibit 32? 09:43:04

13 A I have read this exhibit before. Yes. 09:43:14

14 Q Okay. Do you recognize Exhibit 32 as the 09:43:17

15 complaint you submitted with the Bureau of Labor and 09:43:21

16 Industry in Oregon related to your employment with 09:43:25

17 Nike? 09:43:29

18 A Yes. 09:43:31

19 Q Okay. Did you prepare this document, or 09:43:34

20 did your lawyers prepare it? 09:43:36

21 MR. GOLDSTEIN: Objection. 09:43:38

22 THE WITNESS: My lawyers -- 09:43:40

23 BY MS. DAVIS: 09:43:40

24 Q Go ahead. 09:43:41

25 A My lawyers prepared this document. 09:43:46

Page 301

Cahill v. Nike

No. 3:18-cv-01477-JR (D. Or.)

Deposition Date: November 18, 2020

Deponent: Kelly Cahill

Page	Line(s)	Reads	Should Read	Reason
25	13	payee quality	pay equality	To correct a transcription error
25	17	payee quality	pay equality	To correct a transcription error
38	9	selling in new products	selling new products	To correct a transcription error
40	8	then ex-husband	then husband	To correct a transcription error
43	20	Gem Soda	Jones Soda	To correct a transcription error
48	23	2011	2012	To correct inadvertent error in year
59	23	EPW	ETW	To correct a transcription error
123	6	Insures	Ensures	To correct a transcription error
142	3	CFE's	CFEs	To correct a transcription error
163	4	participants	participates	To correct a transcription error
163	18	participants	participates	To correct a transcription error
173	9-10	Was rated during CFE one year what I saw everyone was getting. Not necessarily the case.	Was rated Successful during CFE one year when I was told everyone was getting Successful. But then I saw that was not necessarily the case.	To correct a transcription error
174	6	media	meeting	To correct a transcription error
177	2	Nike.com right	Nike.com that are right	To correct a transcription error
179	5	manager CFE	manager's CFE	To correct a transcription error
179	11	managing CFE	manager's CFE	To correct a transcription error
180	1	CFE's	CFEs	To correct a transcription error
185	22	Kasatani.	Fisanotti	To correct a transcription error
186	4	up levels from me	a higher level than mine	To correct a transcription error
186	7	It	He	To correct a transcription error
196	19	June 11	June 1	To correct a transcription error
196	23	CFE's	CFEs	To correct a transcription error
222	2	dikes	dykes	To correct a transcription error
222	8	dike	dyke	To correct a transcription error

223	5	dikes	dykes	To correct a transcription error
251	24	CFAE's	CFEs	To correct a transcription error
254	13	CFE's	CFEs	To correct a transcription error
263	7	D banding	debanding	To correct a transcription error
263	17	D banding	debanding	To correct a transcription error
284	19	Communication's	Communications	To correct a transcription error
297	10	July 27	July 25	To correct a transcription error
309	14	opportunity proactively	opportunity to proactively	To correct a transcription error

Subject to the above changes, I declare under the penalties of perjury of the laws of the United States that my deposition transcript is true and correct.

Executed on 1/6/2021 in West Newton, MA.

DocuSigned by:

 486CF2DE09G444B...
 Kelly Cahill

EXHIBIT 32

ORIGINAL

BUREAU OF LABOR AND INDUSTRIES

RESPONDENT:	Contact: (503) 671-6453
Nike, Inc. One Bowerman Drive Beaverton, OR 97006	
County: Washington	# of Employees: 75,000+
ORS 659A.030	
See attached statement for the particulars and the signature of the Complainant.	

RECEIVED

JUL 25 2018

CIVIL RIGHTS DIVISION
PORTLAND OFFICE

762905

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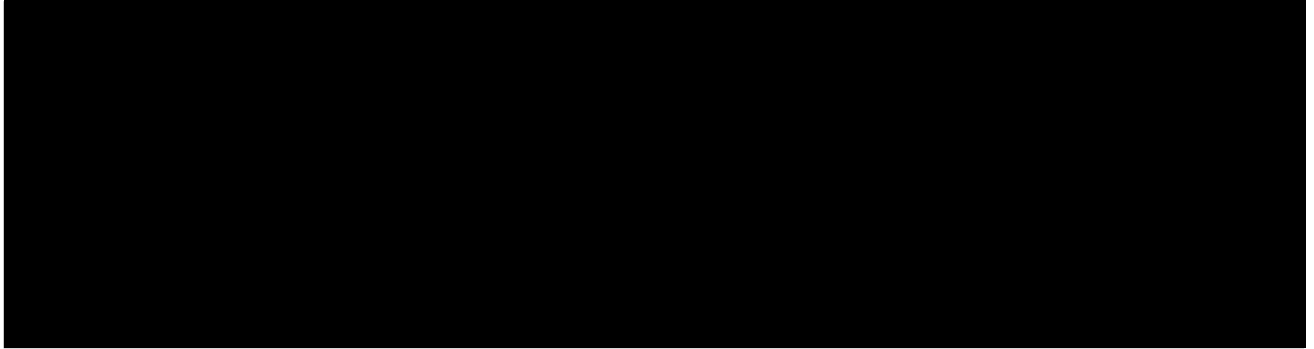
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EXHIBIT

0032

PLF_000749

that my opinion did not matter. At the same time, on information and belief, the male Director on my Team was included in the hiring process.



44. I complained to Nike Human Resources on four separate occasions, including about the above-described incidents. None of those complaints resulted in any meaningful consequences or corrective actions.

V. CLASS CLAIMS

45. It is my understanding and belief that Nike has engaged in a continuing pattern or practice of discrimination based on sex against female Oregon Corporate Employees throughout the United States with respect to performance evaluations, compensation, promotions, and other terms and conditions of employment at Nike.

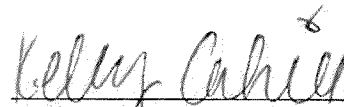
46. Among other means, Nike: has implemented this pattern and practice of discrimination through a rating system that systematically underrates female Oregon Corporate Employees as compared to their male peers, denies them fair compensation, denies them promotions, and increases the likelihood of termination. On information and belief, Nike also condones disparities in pay and promotion as well as retaliation against female employees who complain about discrimination.

47. Nike's performance review, compensation, and promotion systems have an adverse impact on female Oregon Corporate Employees throughout the United States. On information and belief, although Nike has known about the adverse impact of their practices on women's compensation and promotional opportunities, Nike failed to take steps to address the adverse impact.

I swear under penalty of perjury that I have read the above charge and that it is true and correct to the best of my knowledge, information, and belief. This charge is not intended to be exhaustive, but representative of the treatment to which Nike has subjected me.

Date:

7/25/18


Kelly Cahill
Charging Party